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Opinion

March 31, 1958

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CONCORD, N.H.

Marian G. Maloon, Clerk
State Board of Registration of
Funeral Directors and Embalmers
61 South Spring Street
Concord, New Hampshire

Dear Miss Maloon:

In your letter of March 24 you ask whether an individual must have been engaged as a licensed funeral director for five years in order to qualify for appointment to the State Board of Registration of Funeral Directors and Embalmers. You state that over the years RSA 325 has been so interpreted by the Board.

RSA 325:3 defining the qualifications for appointment requires that appointees shall "have had at least five years of practical experience in funeral directing and embalming and shall have been engaged therein in this State for a period of at least five years."

The question is reduced to whether an individual can be engaged in funeral directing without holding a certificate of registration from the Board. RSA 325:4 clearly indicates that this cannot be done: "No person shall engage or hold himself out as engaged unless he . . . holds a certificate of registration from the board."

In view of the foregoing we conclude that your interpretation has been correct and that in order to qualify for appointment to the board an individual must have been engaged as a registered funeral director in this State for a period of five years.

Very truly yours,

Elmer T. Bourque
Assistant Attorney General

ETB/m
CC - His Excellency Governor
Lane Dwinell